

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

By the foregoing amendment, claims 1 and 3 have been amended, and new claim 5 has been added. These amendments are supported throughout the specification, and no new matter has been added. Thus, claims 1-5 are currently pending in the application and are subject to examination.

In the Office Action mailed October 6, 2004, the Examiner made the following rejections and statements; the Examiner: (i) rejected claims 2-4 under 35 USC § 112, second paragraph, where the Examiner stated that it was unclear how the gap was adjusted; (ii) rejected claims 1 and 2 under 35 USC 102(b) as being anticipated by Kano et al.; and (iii) indicated that claims 3 and 4 included allowable subject matter and would be allowed if amended to incorporate the limitations of the base claim and the intervening claims. The Applicants respectfully traverse the rejections, as is discussed below in more detail.

Rejection of claims 2-4 under 35 USC § 112, second paragraph

The Applicant respectfully traverses this rejection as the claim terms "gap adjusting mechanism" is definite and has a scope that can be determined by one skilled in the art. While the Applicant respectfully acknowledges the Examiner's suggestion to recite "an adjustment of the roller relative to the rail, rather than the gap,"¹ the Applicant respectfully states that such an amendment is not necessary as the current claim language is definite. The plain language of the terms "gap adjusting mechanism" is very clear, and would be understandable to one skilled in the art, especially when referred to claim 1 stating "said guide roller being disposed in the door rail with a second gap between the guide roller and the ceiling of the door rail". Further, the scope and meaning of this claim terminology is further understood when viewed in the context of the application. In particular, the present application discloses an embodiment of such a "gap adjusting mechanism," namely gap adjusting mechanism 10.² As such, the terms "gap adjusting mechanism" are definite and would be clearly understood by one skilled in the art. Thus, based on the above discussion, the Applicant respectfully requests the Examiner to withdraw the rejection of claims 2-4 under 35 USC § 112, second paragraph.

¹ Office Action mailed October 6, 2004, p. 2.

² See, e.g., the last sentence of paragraph 19, and paragraphs 20-21, and Figs. 4A and 4B.

Rejection of claims 1 and 2 under 35 USC § 102(b) as being anticipated by Kano et al.

The Applicant respectfully traverses this rejection as Kano et al. does not disclose or suggest the guide roller being disposed in the door rail in the same orientation as the door roller, as recited by amended claim 1. Support for this amendment may be found throughout the specification, and further in reference to Figs. 1, 3 and 4. In contrast to the recited structure, the disclosed guide roller 14 of the Kano et al. patent is arranged in an orientation perpendicular to the travel rollers 12. Further, the Kano et al. patent does not suggest any reason for arranging the guide roller and travel roller in a similar orientation, as recited by claim 1. Thus, the Kano et al. patent does not disclose or suggest the structure as recited by claim 1.

Similarly, claim 2 depends from claim 1, and includes the above-discussed structure, as well as reciting additional structure that defines over the Kano et al. patent.

Therefore, based on the above discussion, the Examiner is respectfully requested to withdraw the rejection of claims 1 and 2 under 35 USC § 102(b) as being anticipated by Kano et al.


Indication of Allowability of claims 3 and 4

The Applicant respectfully acknowledges the Examiner's indication of allowability of claims 3 and 4. As such, the Applicant has amended claim 3 to incorporate the features of the base claim, claim 1, and the intervening claim, claim 2. Thus, claim 3 is now an independent claim.

It is believed that the application is now in condition for allowance.

Respectfully submitted,

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